

U.S. Department of Labor

Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939



MAR 27 2013

MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
Nonmetal Mine Safety and Health

FROM: JEFFREY A. DUNCAN *Jeffrey A. Duncan*
Committee Chair

Director for Educational Policy and Development

HEIDI W. STRASSLER *Heidi W. Strassler*
Associate Solicitor for Mine Safety and Health

GEORGE M. FESAK *Gm Fesak*
Director of Technical Support

NANCY M. SAHAKIAN, M.D. *Nancy Sahakian*
Senior Program Management Consultant, Clinical Operations, Federal
Occupational Health Service, United States Public Health Service

BRIAN P. GOEPFERT *Brian P. Goepfert*
Acting Chief, Office of Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2012-M-15 [REDACTED]

Deceased: [REDACTED]

Date of Incident: August 15, 2012

Date of Death: August 15, 2012

Operator: S & L Materials, Inc.

Mine: S & L Materials, Inc.

Decision: Not chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. [REDACTED], a 56 year old customer truck driver, arrived at the mine site to pick up a load of shale. He got out of his truck and began talking to another haul truck operator while waiting for the mine to open. He complained of feeling dizzy and short of breath and then fell to the ground unconscious. The other truck driver summoned help. CPR was administered until emergency response personnel arrived. He was transported to a local hospital where he was pronounced dead.

The death certificate indicated that the manner of death was natural and that the cause of death was hypertrophic and atherosclerotic heart disease and coronary atherosclerotic disease. The MSHA investigation failed to identify any physical or environmental hazards at the site.

Based on the findings of the death certificate and the results of the MSHA investigation, the committee members concluded that [REDACTED] died due to natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey
Stephen R. Weatherford